

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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ALEXANDER BREYTMAN,

Plaintiff,

-against-

**WEINER REALTORS; RAPPAPORT, HERTZ,
CHERSON AND ROSENTHAL, P.C.; JOHN
ROBALINO; JASON DANISI; NEW YORK
CITY SMALL CLAIMS COURT; SUPREME
COURT PRO SE OFFICE OF KINGS COUNTY;
JUDGE JANE DOE OF SMALL CLAIMS
COURT OF KINGS COUNTY,**

Defendants.
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06 CV 1449 (NG) (LB)

ORDER

GERSHON, United States District Judge:

By order dated June 1, 2006, the court advised plaintiff that if he did not file an amended complaint, stating a valid claim, by June 30, 2006, this action would be dismissed. Plaintiff has not filed an amended complaint; instead, he filed a motion for reconsideration of the court's June 1, 2006 order. Since plaintiff does not set forth any matters or controlling decisions that were overlooked by the court, his motion for reconsideration is denied. *See* Local Civil Rule 6.3.

Plaintiff acknowledges in his motion for reconsideration that he does not suffer from any physical limitation that requires him to use a wheelchair. Accordingly, plaintiff lacks standing to bring a claim alleging that wheelchair-bound individuals are denied access to state court facilities in violation of the Americans with Disabilities Act of 1990 ("ADA"), 42 U.S.C. §§ 12101-12213.

In light of the foregoing and for the reasons set forth in the June 1, 2006 order, the court finds that plaintiff's complaint fails to state a claim on which relief may be granted. The complaint is

dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). The Clerk of Court is directed to close this case.

SO ORDERED.

/S/

NINA GERSHON
United States District Judge

Dated: Brooklyn, New York
June 27, 2006